

Appendix H

Timeline of Defendants' U.S. Pressure Campaign

Timeline of Defendants' U.S. Pressure Campaign

10.2003 - 11.2003

○ Fall 2003 ●

David Russell, a U.S. environmental scientist, prepares a remediation cost estimate for the former concession area at Donziger's request; Donziger tells Russell that he wants a "really big number," and that he needs a "really big number" for purposes of "putting pressure" on Chevron to settle the litigation. In response, Russell tells Donziger that he would try to come up with the biggest possible cost estimate he could.

[PX 3200 \(Russell\) ¶¶ 8, 9](#)

○ November 19, 2003

Donziger plans a "Divestment Campaign" whereby "[t]he key component will be to convince a mass sell-off of billions in [Chevron] stock by state pension funds and other private funds [and includes a meeting with] Hevesi to convince New York pension fund to divest [and asking] Hevesi to take leadership role nationally on same with state comptrollers"

[PX 687 at 3](#)

Oct. 2003

Nov. 2003

○ Fall 2003 ●

Russell "provide[s] Donziger with a \$6.114 billion cost estimate based largely on the assumptions Donziger" told him to use.

[PX 2414; PX 3200 \(Russell\) ¶ 10](#)

Timeline of Defendants' U.S. Pressure Campaign

12.2004 - 05.2005

December 10-12, 2004

Russell emails Donziger and other LAP representatives telling them that "we don't know the extent of the soil contamination or the magnitude of the groundwater contamination [so] we cannot provide anyone with a realistic cost estimate" and emphasizing that the "difference is between an estimate and a guesstimate." Mr. Russell testifies that he discussed these issues with Donziger in person as well.

[PX 3201 at 4, 6; see also Tr. \(Russell\) 385:12-386:18](#)

March 3, 2005

Bonifaz urges Donziger, Kohn, and others that they "need to focus our PR in planting the seeds within ChevronTexaco's management in San Ramon that Reis[] Veiga has sold them a bill of goods. . . . It is my view that we need to focus on Reis[] Veiga in all our attacks to the point of dissociate him from ChevronTexaco's management as much as possible." Bonifaz adds that they "have to destroy [Veiga's] reputation with ChevronTexaco as an incompetent any way we can to see our case settled."

[PX 724](#)

Dec. 2004

Mar. 2005

December 12, 2004

Former LAP counsel, Cristóbal Bonifaz, writes an email to Russell, Donziger, and others stating that "[a]ll the numbers about billions of dollars that get passed around are purely for PR purposes since no one can or has made an accurate estimate of total costs."

[PX 3201 at 1; see also Tr. \(Russell\) 387:23-388:18; PX 3200 \(Russell\) ¶ 25](#)

Timeline of Defendants' U.S. Pressure Campaign

10.2005 - 01.2006

○ October 1, 2005

Donziger tells Amazon Watch that "[w]e have a small window of time to exert this pressure in the context of an existing case."

[PX 733 at 1](#)

○ January 30, 2006   

Amazon Watch sends a letter to the Securities and Exchange Commission using Russell's \$6 billion estimate and the 30x Exxon Valdez claim.

[PX 754 at 1](#)

Oct. 2005

Jan. 2006

○ January 31, 2006 

Donziger emails Atossa Soltani of Amazon Watch and says, "Now that the SEC ltr is filed, it is key we come up with a coherent strategy to build pressure for the April shareholder's meeting."

[PX 756 at 1](#)

Timeline of Defendants' U.S. Pressure Campaign

02.2006 - 02.2006

○ February 1, 2006 ●

Donziger emails Soltani and others at Amazon Watch and says, "You guys did a great job with that SEC ltr. . . . They [sic] key here to your strategy as I see it is to keep this alive and active so it is hanging over their heads as long as possible, and so it can be used to get other shareholders to write their own ltrs."

[PX 759](#)

○ February 13, 2006 ●

Russell emails Leila Salazar-Lopez of Amazon Watch "to demand that you cease and desist using the cost estimate that I prepared for Steven Donziger in 2003. It is no longer valid and cannot be used to defend Steve's lawsuit."

[PX 766](#)

○ February 23, 2006 ●●

Donziger emails Soltani and others from Amazon Watch and tells them they "should [send] the SEC letter in ASAP, making that slight change that another report will be coming with a multi-billion damage figure, without disavowing or mentioning Russell's report."

[PX 768](#)

Feb. 2006

○ February 6, 2006 ●

ChevronToxico press release in which Defendants and/or co-conspirators tout a fraud complaint made against Chevron to the SEC.

[PX 465#](#)

○ February 14, 2006 ●

Russell sends a letter to Donziger with the subject "Cease and Desist," requesting that Donziger "stop using [Russell's \$6 billion] Remediation Cost Estimate from 2003." Russell writes that "at [Donziger's] insistence, I deliberately chose the most expensive remedial options available and applicable to the work in Ecuador because [Donziger] wanted a 'large' number" and "that the 2003 cost estimate is too high by a substantial margin, perhaps by a factor of ten, or more."

[PX 764 at 1; PX 763;](#)
[see also PX 3200 \(Russell\) ¶ 23](#)

Timeline of Defendants' U.S. Pressure Campaign

03.2006 - 04.2006

○ **March 17, 2006** ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate, claiming that it comes from an "independent expert."

[PX 466# at 2](#)

○ **April 26, 2006** ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate.

[PX 472# at 1](#)

Mar. 2006

Apr. 2006

○ **March 22, 2006** ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate.

[PX 467# at 1](#)

Timeline of Defendants' U.S. Pressure Campaign

05.2006 - 05.2006

○ May 2, 2006

Kevin Koenig of Amazon Watch expresses concern that the scene of Donziger coaching Emergildo Criollo what to say at a Chevron shareholder meeting will "look like emergildo told us what he wanted to say, steven, the ny gringo lawyer who's waiting for his juicy check then corrects him and tells him what to say, effectively putting words in his mouth." Donziger passes the email on to Michael Bonfiglio and asks him to "pass this on to joe [Berlinger]." The Crude filmmakers respond: "should that scene actually make it into the final cut of the film, we will be sure to contextualize it" and "[w]e will live up to our end of the bargain."

[PX 776](#)

May 2006

Timeline of Defendants' U.S. Pressure Campaign

07.2006 - 07.2006

○ July 12, 2006 ●

Donziger tells Jennifer Ciplet, Daria Fisher, Aaron Page and others that "I finally talked to the SEC investigator and I can tell you that this investigation of Chevron is active" and that this was a "huge victory for AW [Amazon Watch]. . . ." In this same exchange, Donziger also says that he "sort of feel[s] this is bogus, but as long as they want to look at it we should keep feeding them stuff."

[PX 781 at 1-2](#)

Jul. 2006

○ July 12, 2006 ●

Donziger tells Chris Lehane that "[t]he SEC is actively investigating [Chevron's] failure to disclose this liability in its public filings—I know this for a fact, because I was just interviewed by an SEC investigator last week[.]"

[PX 2424 at 1](#)

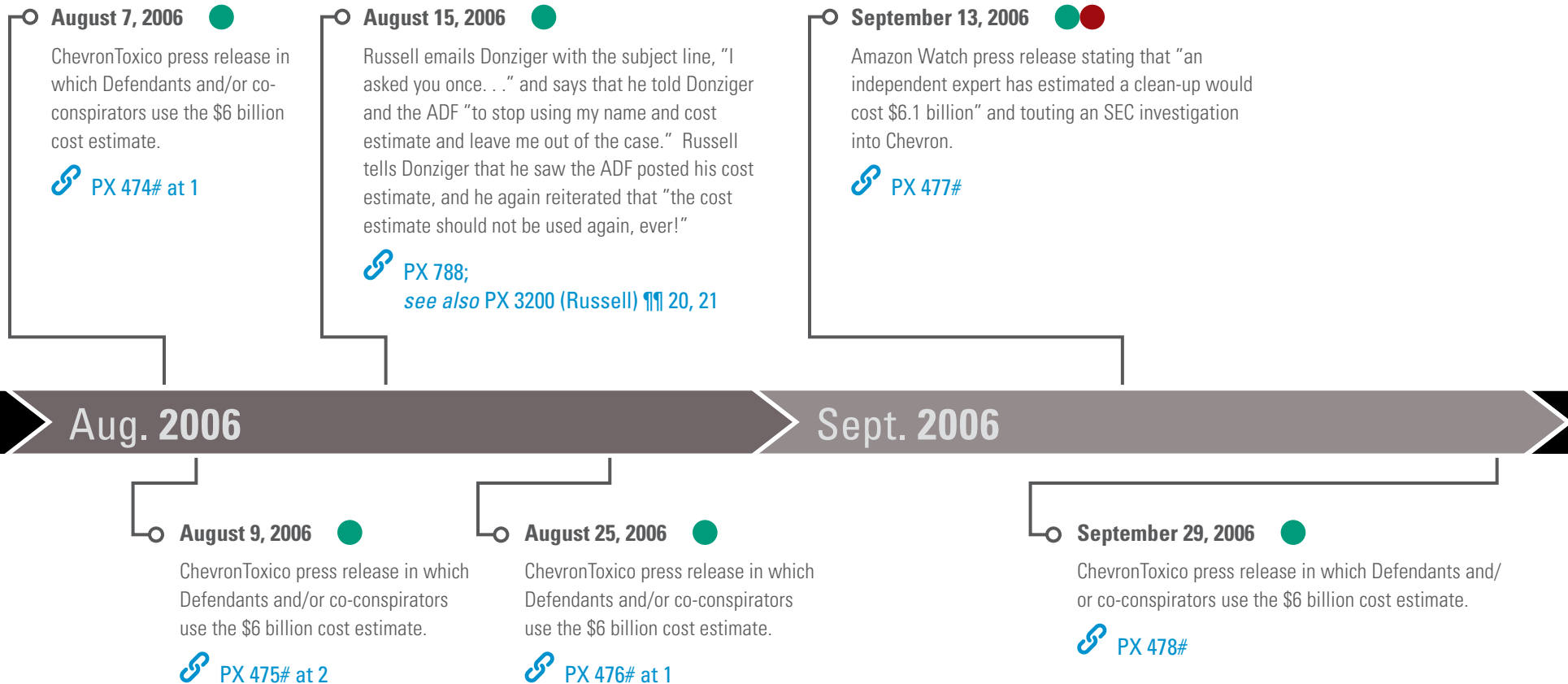
○ July 24, 2006

Donziger says "So, it'll make sense to them, I think, when the cost of not cleaning up rises higher than the cost of cleaning up, at least in their own calculus. And that doesn't include just financial hits that they're getting, but includes damage to their reputation, includes their personal psychological pressure they feel—their top executives feel from having to put up with this, from having their friends ask about it—you know, all those things are ways to raise the cost" He goes on to say, "I think, hope someday someone will really look at how we did in, in terms of maybe a new model of litigation. Um, but I think it's really important to, to, really define advocacy broadly as a lawyer. . . . So, you know, you have to figure out those points where your opponent, you know, feels it, you know, feels the pain. You know, the points were you can leverage what you can do in a way that will hurt them the most."

[PX 15](#)

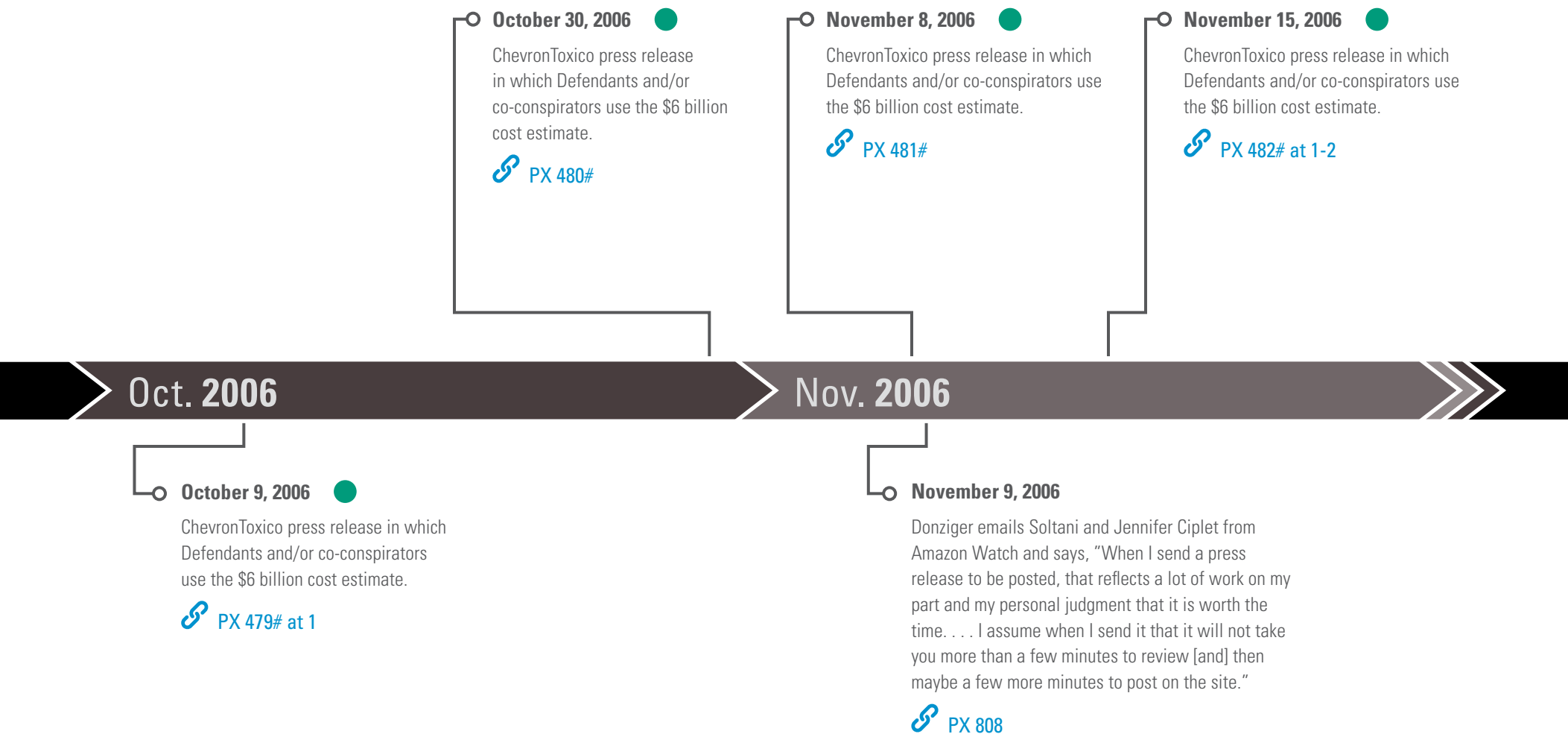
Timeline of Defendants' U.S. Pressure Campaign

08.2006 - 09.2006



Timeline of Defendants' U.S. Pressure Campaign

10.2006 - 11.2006



Timeline of Defendants' U.S. Pressure Campaign

02.2007 - 03.2007

○ February 7, 2007 ●

Donziger tells Amazon Watch that "the advantage of a guy like this [referring to Thomas DiNapoli, New York State Comptroller] is that he is political, meaning, if we show him how he can look good going after chevron [sic], he might be even more likely to help us."

[PX 7420](#)

○ March 20, 2007 ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate, referring to this estimate as the "only independent damage assessment, by the U.S. firm Global Environmental operations . . ."

[PX 485# at 2; see also Tr. \(Russell\) 400:21-402:3](#)

Feb. 2007

Mar. 2007

○ March 6, 2007 ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate and state: "The only independent damage assessment, by the U.S. firm Global Environmental Operations estimates clean-up to cost at least \$6.14 billion."

[PX 483# at 2](#)

○ March 23, 2007 ●●

Amazon Watch sends its latest press release, which uses the \$6 billion cost estimate, to Pat Doherty of the New York State Comptroller's Office and others.

[PX 7422](#)

Timeline of Defendants' U.S. Pressure Campaign

04.2007 - 05.2007

○ April 24, 2007 ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate.

[PX 486# at 2](#)

○ May 24, 2007 ●

Referring to the claim that the amount of oil released was 30 times greater than the Exxon Valdez, Soltani emails Donziger and says, "It seems like the 2 percent figure (petroleum in formation waters) initially came from, Edison (others fyi, Edison was the tecnico . . . hired by the plaintiffs for the field inspections though he is no longer there). Bill Powers says it is more like an average of .2 percent not 2 percent. So we are off by a factor of 10 it seems."

Later that day, Donziger emails Simeon Tegel of Amazon Watch and tells him not to make any changes based on what Powers said because "there are HUGE implications for the legal case if this change is made. . . ."

[PX 861 at 1; PX 860](#)

Apr. 2007

May 2007

○ May 28, 2007 ●

Donziger tells Charles Champ that Powers said "the 30x larger than the valdez claim is wrong"

[PX 862 at 1](#)

Timeline of Defendants' U.S. Pressure Campaign

06.2007 - 07.2007

○ June 13, 2007

Donziger says he wants to get Chevron to "the breaking point."

[PX 77; PX 77A](#)

○ July 3, 2007 ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate.

[PX 491# at 1](#)

○ July 9, 2007 ●

Amazon Watch press release uses the \$6 billion cost estimate.

[PX 493# at 2](#)

Jun. 2007

Jul. 2007

○ July 4, 2007 ●●●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate and the "30x Exxon Valdez" claim and refer to Cabrera as "independent"; Yanza claims that "Chevron knows Cabrera is qualified and independent, which is exactly why the company hates him."

[PX 492# at 1-3](#)

Timeline of Defendants' U.S. Pressure Campaign

08.2007 - 10.2007

○ August 24, 2007

Donziger states to Amazon Watch that "nobody at AW . . . is in a position to make sophisticated editorial judgments about subtle points in our press releases that have to do with rapidly moving events on the ground that we live with every day and that you are far removed from." He also says, "We can be collaborators, but we are not equal partners. This is an important distinction."

[PX 906 at 1](#)

○ August 30, 2007 ●

ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate, attributing the estimate to Global Environmental Services.

[PX 494# at 3](#)

○ October 29, 2007

Donziger discusses the pressure campaign with Lehane stating, "[w]e need to get more press and increase the pressure . . . to get the price up."

[PX 931](#)

Aug. 2007

Oct. 2007

○ August 28, 2007 ●

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim.

[PX 2309# at 2](#)

Timeline of Defendants' U.S. Pressure Campaign

02.2008 - 03.2008

○ February 28, 2008 ●

ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 496# at 1](#)

○ March 18, 2008 ●●●

Amazon Watch sends another letter to the Securities and Exchange Commission incorporating its prior letter that uses the \$6 billion cost estimate and referring to Cabrera as "independent."

[PX 497# at 2, 5 n.9](#)

Feb. 2008

Mar. 2008

○ February 9, 2008 ●●●

Donziger emails Mitch Anderson of Amazon Watch, attaching a memo to Pat Doherty that uses the \$6 billion cost estimate and the "30x Exxon Valdez" claim.

[PX 7426](#)

Timeline of Defendants' U.S. Pressure Campaign

04.2008 - 04.2008

○ April 2, 2008



ChevronToxico press release in which Defendants and/or co-conspirators use the \$6 billion cost estimate and the "30x Exxon Valdez" claim and refer to Cabrera as "independent."

[PX 499# at 1-2, 4](#)

○ April 14, 2008



ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 501# at 1-2](#)

○ April 28, 2008



Karen Hinton emails Donziger a "Proposal from Hinton Communications," in which she writes that Donziger's "stated goal" was "pushing ChevronTexaco to settle the lawsuit in the near future." The proposal also says that "[a] credible, third-party report has left no doubt about the culpability of ChevronTexaco and has placed damages at as much as \$16 billion," referring to the Cabrera report.

[PX 1034 at 1, 3; see also Tr. \(Hinton\) 2155:5-11, 2155:20-2156:5; PX 3200 \(Russell\) ¶ 25](#)

Apr. 2008

○ April 3, 2008



ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent" and claim that "'Chevron's claim that Professor Cabrera is cooperating with the plaintiffs is completely false [and] Chevron is frightened precisely because [Cabrera] is an independent and credible expert.'"

Donziger later testifies that "there were times [he] was not fully accurate" in his descriptions of the LAPs' relationship with Cabrera, and that this could have been one of those times.

[PX 500# at 1, 3; PX 1032 at 1-2; Tr. \(Donziger\) 2604:17-2605:23](#)

○ April 16, 2008



ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 502# at 2](#)

Timeline of Defendants' U.S. Pressure Campaign

05.2008 - 05.2008

○ May 2008 ●

In May 2008, when Donziger hires Hinton, he does not tell her that Stratus had participated in at least one ex parte meeting with Cabrera.

[Tr. \(Hinton\) 2189:5-9](#)

○ May 21, 2008 ●●

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim and refer to Cabrera as "independent."

[PX 503# at 2](#)

May 2008

○ May 13-14, 2008

Douglas Beltman forwards Donziger an email exchange between himself and Hinton in which Hinton asks if she can give the Clapp report to the press, and Beltman responds, "[n]o, I don't think we can give that one out - I'm not sure of its pedigree. I'll ask Steven and get back to you."

[PX 6862 at 1](#)

○ May 31, 2008 ●

Joseph Kohn appears on Fox News and claims that Cabrera was an "independent expert appointed by the judge who analyzed all of the evidence from all of the parties from both sides" to come up with a damages estimate "between eight and sixteen billion."

[PX 1036 at 2](#)

Timeline of Defendants' U.S. Pressure Campaign

07.2008 - 08.2008

○ July 11, 2008 ●

Hinton tells Donziger she "spoke with [then N.Y. Attorney General] Andrew Cuomo this morning and told him about the lawsuit and the comptroller's office, etc. He said he would be helpful, if we gave him a good idea about how to do that. You should discuss with Patrick Doherty about how we might leverage Cuomo." Donziger responds, "Maybe sked a meeting w ben, u me and he."

[PX 1048](#)

○ August 1, 2008 ●

ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 505# at 2](#)

○ August 14, 2008 ●

ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 506# at 1](#)

Jul. 2008

Aug. 2008

○ July 27, 2008

Hinton asks on an email chain with Donziger and Beltman how to get the Cabrera report annexes to a Wall Street Journal reporter, and Donziger says, "[c]all me first. I don't want to make all the annexes available just yet."

[PX 6833 at 1](#)

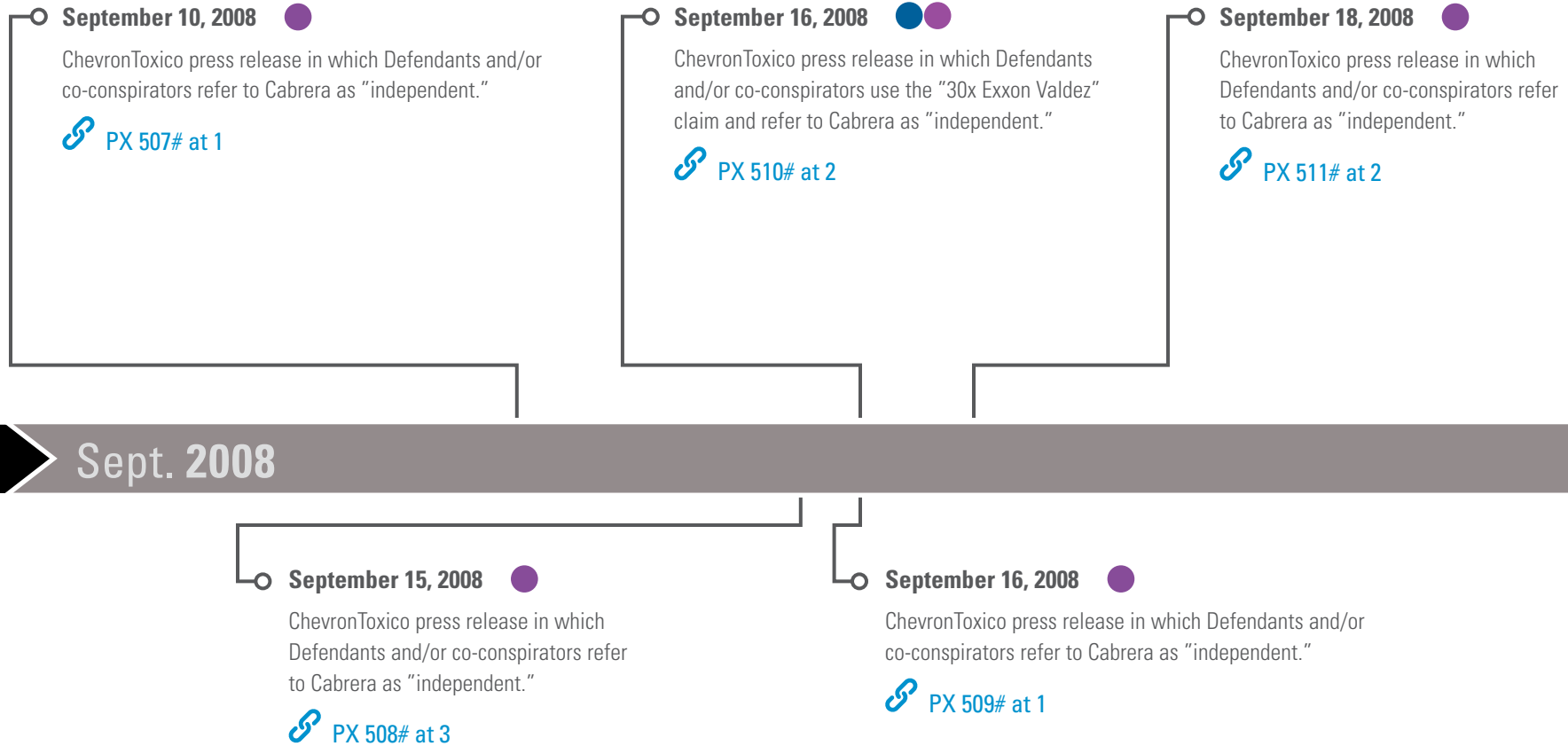
○ August 12, 2008

Hinton tells Donziger she "would like to push Tom McGinty of WSJ, but I need to know how to handle the annex issue. What is the problem with the annexes anyway?"

[PX 6835](#)

Timeline of Defendants' U.S. Pressure Campaign

09.2008 - 09.2008



Timeline of Defendants' U.S. Pressure Campaign

10.2008 - 10.2008

○ **October 7, 2008** ●

ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 512# at 2](#)

○ **October 17, 2008** ●

ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 514# at 2](#)

Oct. 2008

○ **October 15, 2008** ●●

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim and refer to Cabrera as "independent."

[PX 513# at 2-3](#)

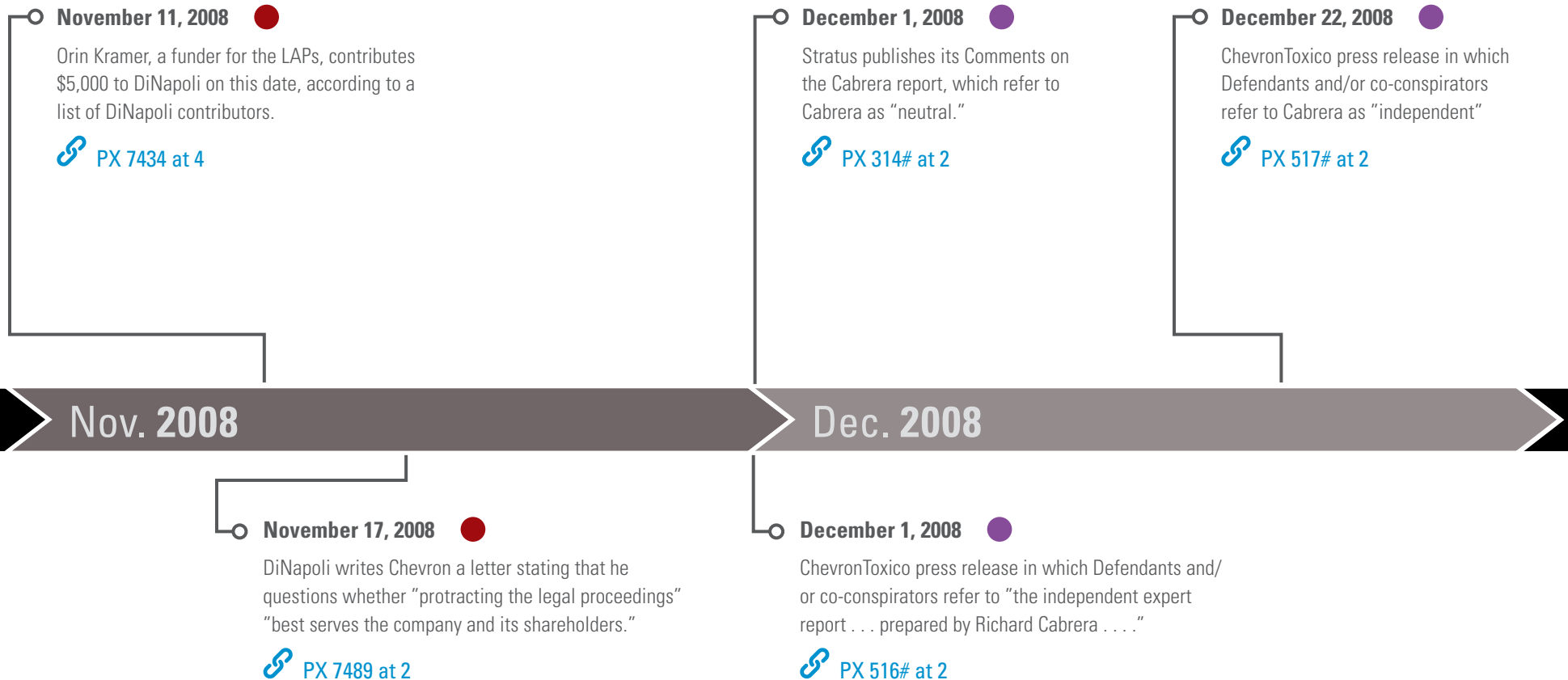
○ **October 24, 2008** ●

ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

[PX 515# at 2](#)

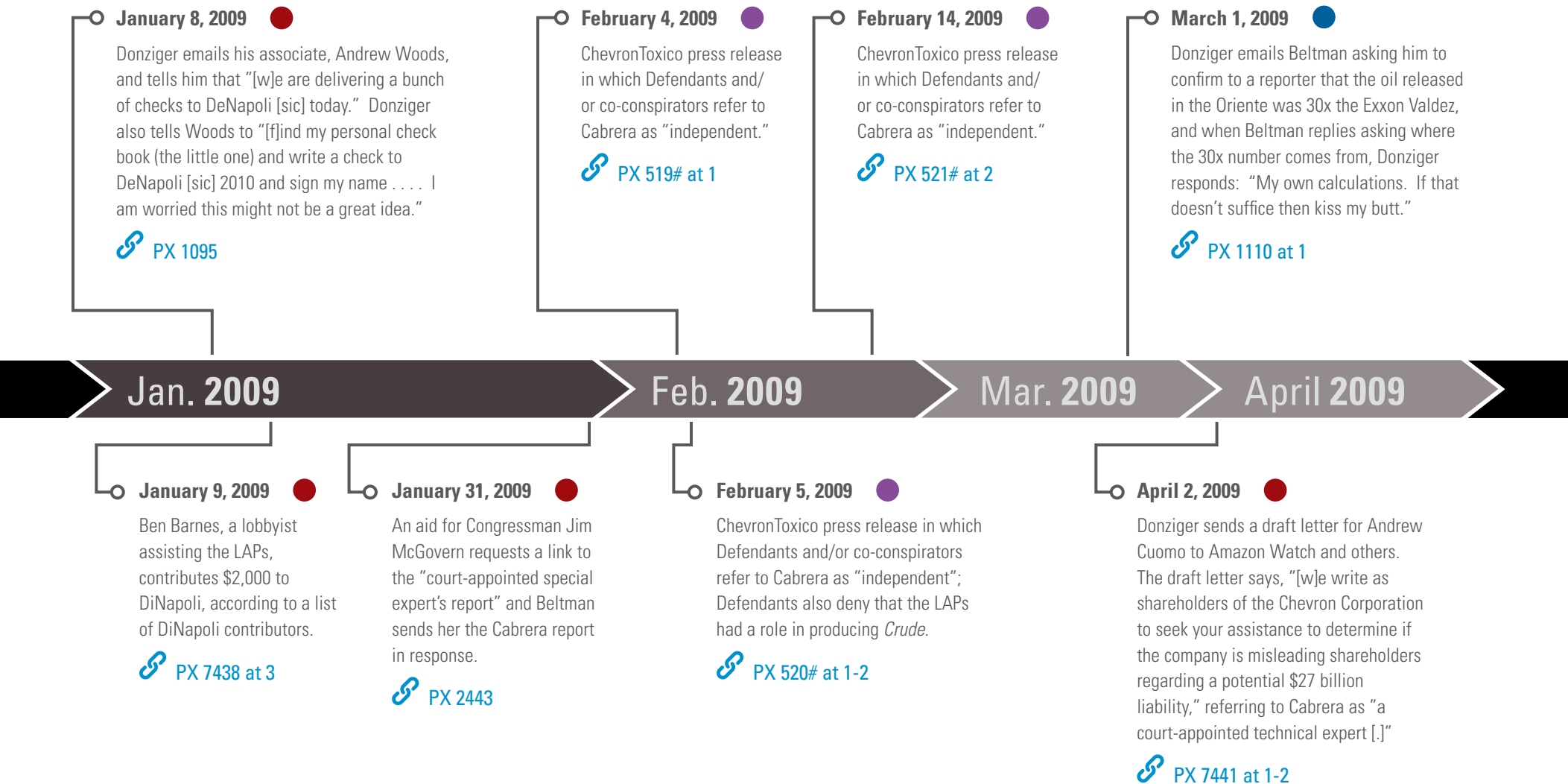
Timeline of Defendants' U.S. Pressure Campaign

11.2008 - 12.2008

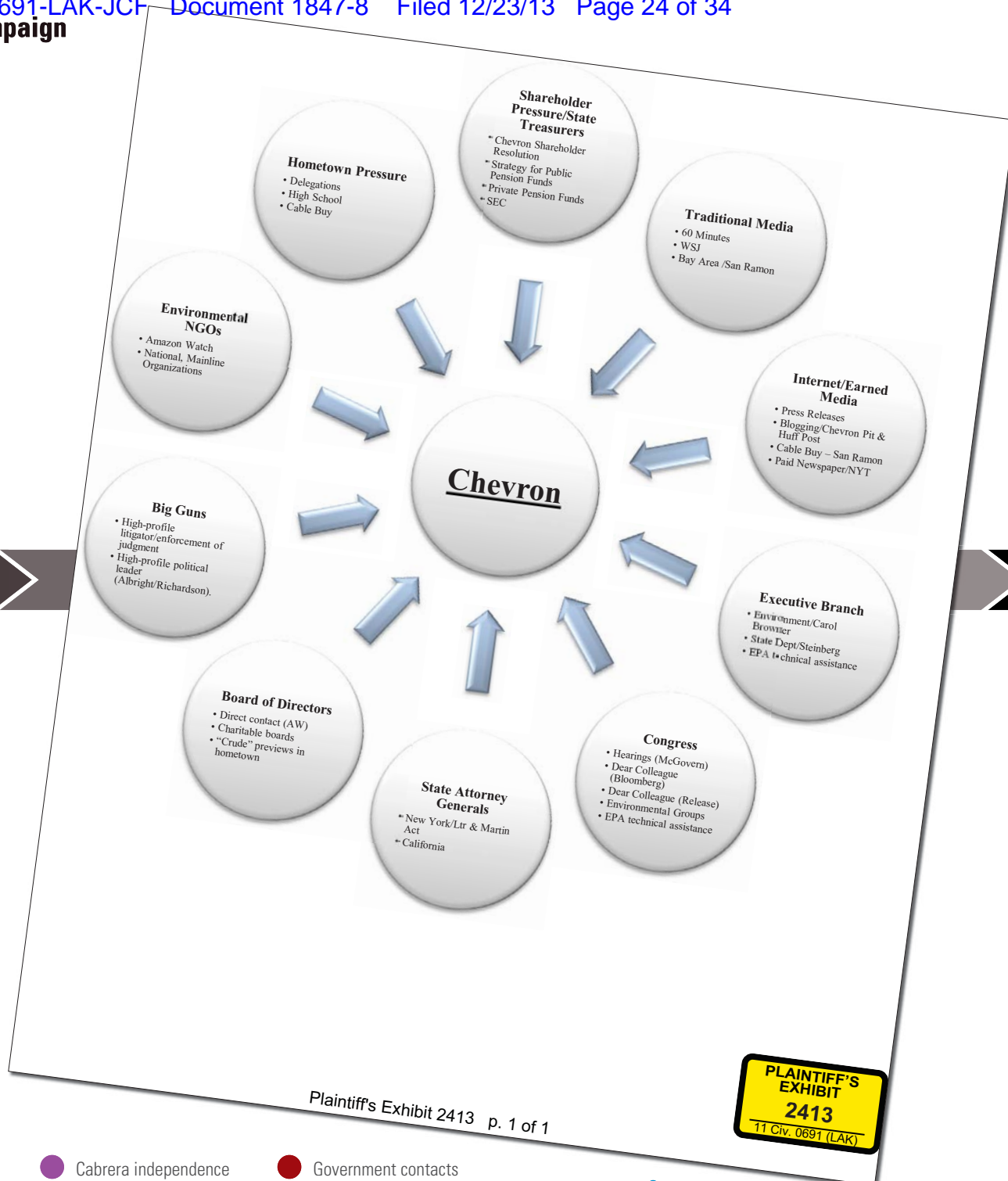


Timeline of Defendants' U.S. Pressure Campaign

01.2009 - 04.2009



Timeline of Defendants' U.S. Pressure Campaign



Apr. 2009

April 3, 2009

Defendants and co-conspirators map out their plan to pressure Chevron in the "Chevron Pressure Chart."

[PX 2413](#)

Plaintiff's Exhibit 2413 p. 1 of 1

PLAINTIFF'S EXHIBIT 2413 11 Civ. 0691 (LAK)

Timeline of Defendants' U.S. Pressure Campaign

04.2009 - 04.2009

○ April 10, 2009 ●

Amnesty International sends a letter to Attorney General Cuomo with language mirroring that in a draft letter to Cuomo sent by Donziger to Amazon Watch and others on April 2, 2009, and including the claim that "Recently, a court-appointed technical expert estimated Chevron's damages in the case at up to \$27 billion."

[PX 7442; PX 7441](#)

○ April 26, 2009

An Amazon Watch draft proposal says that Chevron's management and board "must be put in a position where, to survive intact in American society as a reputable company with a competitive edge, they will be forced to settle the lawsuit."

[PX 7447 at 1](#)

○ April 28, 2009 ●●●

Donziger speaks before the Tom Lantos Human Rights Commission and uses the "30x Exxon Valdez" claim and refers to Cabrera as "independent."

Donziger also claims that "[n]umerous qualified scientists have reviewed [the Cabrera Report] and found its conclusions reasonable and the damages assessment consistent with the costs of other large environmental clean-ups" and implies that Chevron made death threats to Pablo Fajardo and may have been responsible for Fajardo's brother's 2004 murder.

[PX 1130# at 60, 63; see also PX 2377 at 5, 7, 9](#)

Apr. 2009

○ April 14, 2009 ●

The Interfaith Center on Corporate Responsibility sends a letter to Attorney General Cuomo with language mirroring that in a draft letter to Cuomo sent by Donziger to Amazon Watch and others on April 2, 2009, and including the claim that "Recently, a court-appointed technical expert estimated Chevron's damages in the case at up to \$27 billion."

[PX 7443; PX 7441](#)

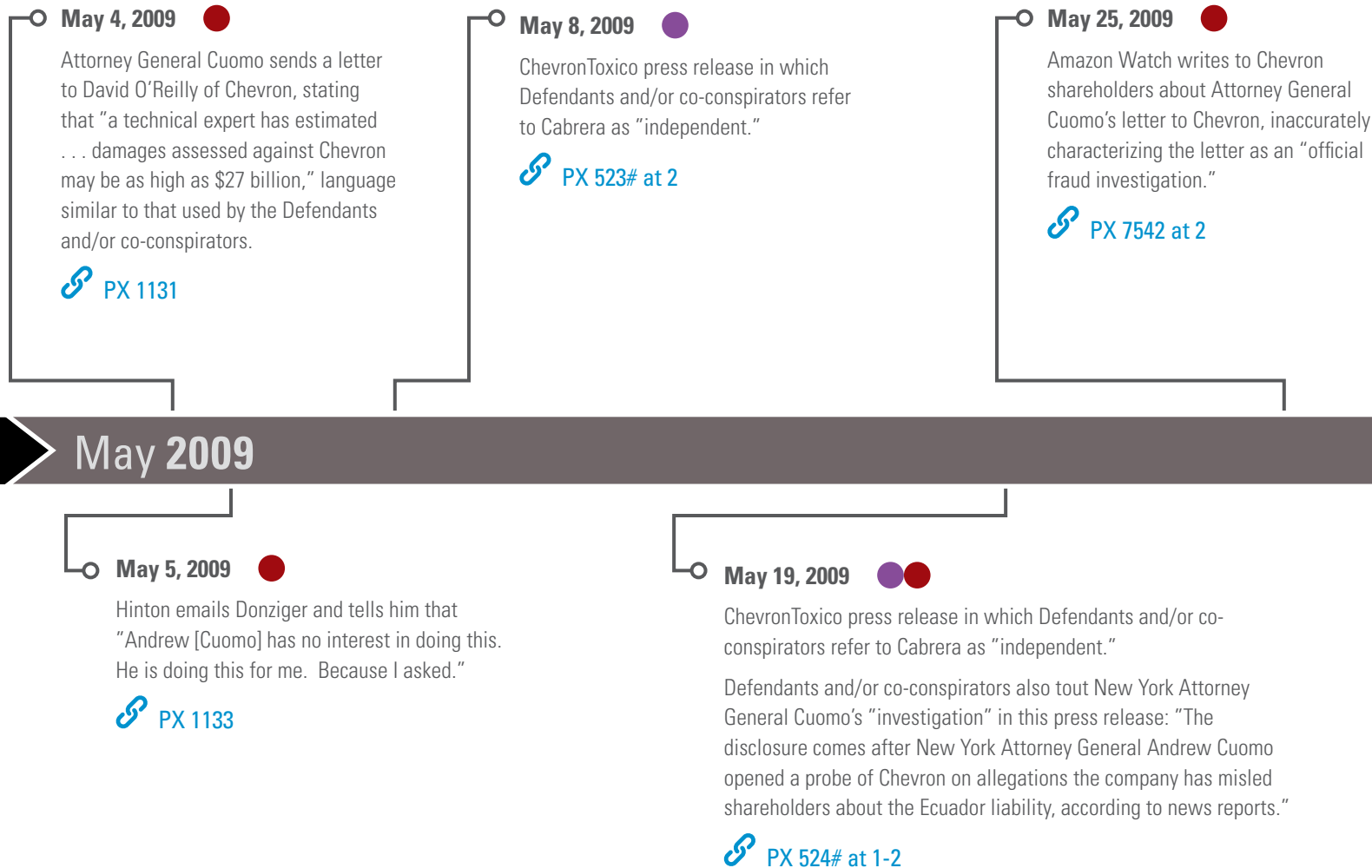
○ April 27, 2009 ●

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim.

[PX 522# at 2](#)

Timeline of Defendants' U.S. Pressure Campaign

05.2009 - 05.2009



Timeline of Defendants' U.S. Pressure Campaign

08.2009 - 10.2009

○ August 2009

Donziger tells Hinton that his primary objective is to "[p]ressure Chevron to settle."

[Tr. \(Hinton\) 2158:23-2159:2](#)

○ October 22, 2009 ● ●

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim. Defendants also promote the Crude premiere in Washington D.C.

Defendants and/or co-conspirators also tout New York Attorney General Cuomo's "investigation" in this press release: "Earlier this year, New York Attorney General Andrew Cuomo announced he was investigating Chevron to determine if company management was misleading shareholders."

[PX 527# at 2-3](#)

Aug. 2009

Oct. 2009

○ August 12, 2009

Donziger writes to New Partners that, "[o]ur primary objective is to pressure Chevron such that they will have to settle [the] case"

[PX 7450 at 1](#)

Timeline of Defendants' U.S. Pressure Campaign

11.2009 - 02.2010

○ November 20, 2009  

ChevronToxico press release in which Defendants and/or co-conspirators refer to Cabrera as "independent."

Defendants and/or co-conspirators also tout New York Attorney General Cuomo's "investigation" in this press release: "Separately, New York Attorney General Andrew Cuomo is investigating the company to determine if it is misleading its own shareholders about the financial risk from the Ecuador case, where damages are assessed at up to \$27.3 billion, Politico reported."

 [PX 7426 at 2](#)

Nov. 2009

Dec. 2009

○ December 30, 2009  

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim.

Defendants and/or co-conspirators also tout New York Attorney General Cuomo's "investigation" in this press release: "In the United States, New York Attorney General Andrew Cuomo opened a probe of Chevron to determine if the company is misleading shareholders over the Ecuador liability."

 [PX 529# at 2](#)

Timeline of Defendants' U.S. Pressure Campaign

06.2010 - 11.2010

○ **June 2, 2010** ●

Chevron Pit Blog Article in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim.

[PX 533# at 3](#)

○ **October 6, 2010** ●

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim.

[PX 536# at 2](#)

○ **November 26, 2010**

John Entine, a reporter, emails Hinton and criticizes her for asking him to use a "canned quote written for that person after the fact by someone else" saying that "[n]o responsible journalist or journalist organization would do what [Hinton] asked for."

[PX 6887 at 1](#)

Jun. 2010

Oct. 2010

Nov. 2010

○ **June 8, 2010** ●

ChevronToxico press release in which Defendants and/or co-conspirators use the "30x Exxon Valdez" claim.

[PX 534# at 2](#)

May 2011

DiNapoli releases an "Investor Statement" saying, "[w]e also call upon the Company to reevaluate whether endless litigation in the *Aguinda* case is the best strategy . . . or whether a more productive approach, such as reaching an equitable negotiated settlement, could be employed"

[PX 7480 at 1](#)

May 2011

May 4, 2011

Hinton emails Donziger and says, "[s]ince there is no one willing to put their name to anything these days, except me, you can continue to use my name, but I want to see the comment first."

[PX 1479 at 1](#)

May 26, 2011

Defendants and/or co-conspirators publish ChevronToxico press release regarding the SEC: "Separately, the private fund Trillium Asset Management has requested that the Securities and Exchange Commission (SEC) undertake a staff review to determine whether Chevron 'has appropriately disclosed to its shareholders the scope and magnitude of financial and operational risk' from the Ecuador judgment."

In this release, Defendants and/or co-conspirators also tout DiNapoli's support: "New York State Comptroller Thomas DiNapoli, who manages \$780 million in Chevron stock, called on the company 'to face reality' and resolve the lawsuit, which is currently under appeal by both parties in Ecuador."

[PX 5804 at 1-2](#)

Timeline of Defendants' U.S. Pressure Campaign

06.2011 - 09.2011

○ June 30, 2011 ●

Anderson from Amazon Watch sends a letter to DiNapoli stating: "Dear Comptroller DiNapoli, [i]t was a pleasure to meet you at your offices in May. Thank you very much for taking the time to meet our friends from Ecuador. . . . Thank you as well for your resolve in pressuring Chevron to abandon its antagonistic position."

[PX 7485](#)

○ August 8, 2011 ●

Ben Barnes meets with DiNapoli regarding Chevron.

[PX 7487](#)

○ September 26, 2011 ●

DiNapoli issues a press release urging Chevron to settle the case in a public statement: "Since taking office as New York State Comptroller four years ago, I have asked Chevron's board of directors to settle this marathon litigation and spare the company's battered reputation any further damage. The board has chosen to ignore the wishes of the many investors and observers who supported my call."

[PX 7490](#)

Jun. 2011

Aug. 2011

Sept. 2011

Timeline of Defendants' U.S. Pressure Campaign

01.2012 - 01.2013



Timeline of Defendants' U.S. Pressure Campaign

10.2013 - 10.2013

October 3, 2013 ●

Russell testifies that the LAPs' representatives, including Donziger, told him "the estimate of billions of dollars in costs was for PR purposes because no one had an accurate estimate of total costs." Russell further testifies that he was "unhappy" with what Donziger and Amazon Watch were doing with this estimate: "Donziger, Amazon Watch, and others supporting the Ecuadorian plaintiffs repeatedly cited the cost estimate on television, radio, in press releases, and to news reporters as an accurate, scientifically supported cost estimate." Russell testifies that even after he requested that the LAPs' representatives cease using his cost estimate in writing twice, they continued to publicize that number.

Russell also testifies that Donziger communicated to him that "he did not want members of the team communicating directly with the press because he wanted to be in control of the press narrative."

[PX 3200 \(Russell\)](#) ¶¶ 11, 12, 22, 35

October 30, 2013

Rhonda Zygoeki, a Chevron executive, testifies that Defendants' pressure campaign has caused economic and reputational damage to Chevron and will continue to do so.

[PX 5800 \(Zygoeki\)](#) ¶¶ 19-23

Oct. 2013

October 9, 2013 ●

Yerim Kim testifies that Defendants used Russell's \$6 billion estimate in "22 press releases, articles, and similar documents that post-date February 14, 2006," the date on which Russell sent Donziger a "Cease and Desist" letter requesting that Donziger stop using the estimate.

[PX 4400 \(Kim\)](#) ¶ 9; *see also* PX 764

October 9, 2013 ●●

Yerim Kim testifies that Defendants used the comparison to the Exxon Valdez oil spill in "12 press releases, articles, and similar documents that post-date May 24, 2007," the date on which William Powers, Donziger's own environmental consultant, told him that the comparison was incorrect.

Kim also testifies that defendants referred to Cabrera as "independent" in "29 press releases, articles, and similar documents that post-date March 3, 2007," the date on which the LAPs' representatives and their agents discussed a plan to assist Cabrera with his damages assessment.

[PX 4400 \(Kim\)](#) ¶¶ 11, 13; *see also* PX 862 at 1

Timeline of Defendants' U.S. Pressure Campaign

11.2013 - 11.2013

November 10, 2013

Hinton admits that "Mr. Donziger sometimes wanted to use what I refer to as 'fighting words' in media materials."

[DX 1500 \(Hinton\) ¶ 30](#)

November 19, 2013

Donziger testifies that he kept facts hidden from Hinton, including that Clapp had authored one of the Cabrera annexes.

[Tr. \(Donziger\) 2561:15-22](#)

Nov. 2013

November 13, 2013

Hinton admits that Donziger told her that "his goal was to increase press so that he could increase the pressure in order to get the settlement price higher."

Hinton also admits that the LAPs' representatives posted material about the Cabrera report on various websites, including ChevronToxico.com, CasoTexaco.com, and the Chevron Pit Blog.

[Tr. \(Hinton\) 2159:9-12, 2180:1-2181:2](#)